

AGENDA MEMO

CITY COUNCIL MEETING OF: DECEMBER 2, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-36136 - APPLICANT/OWNER: UNITY BAPTIST CHURCH

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a Church/House of Worship use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-36124) shall be required.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to expand its existing 8,000 square-foot Church/House of Worship by 48,816 square feet at 545 Marion Drive. The proposed expansion necessitated the need for the subject Special Use Permit and the related Site Development Plan Review (SDR-36124). The proposed expansion is appropriate at this location; therefore, staff is recommending approval. If denied, the proposed expansion of the use would not be permitted, but the existing Church/House of Worship would remain in its current condition.

Issues:

- The applicant is expanding the existing Church/House of Worship by more than 10% or 48,816 square feet, which requires the subject Special Use Permit and the related Site Development Plan Review (SDR-36124) pursuant to Title 19.18 requirements.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
A change of ownership has not occurred on the subject site.	
The County Assessor's site indicates a construction date of 1983.	
10/03/79	The Board of City Commissioners approved a Rezoning (Z-0091-79) from R-E (Residence Estates) to R-1 (Single Family Residential) on 4.17 acres adjacent to the southeast corner of Marion Drive and Diamond Head Drive. The Planning Commission and staff recommended approval of the request.
04/18/84	The City Council approved an Extension of Time of an approved Rezoning (Z-0017-84) from R-E (Residence Estates) to R-CL (Residential Compact-Lot) on 4.17 acres adjacent to the southeast corner of Marion Drive and Diamond Head Drive. The Planning Commission and staff recommended approval of the request. The Rezoning (Z-0017-84) expired on 04/18/86.
03/09/05	A Code Enforcement citation (#26949) was issued for illegal construction equipment at 545 Marion Drive. Code Enforcement closed the case on 03/10/05.
02/15/06	The City Council approved a request for a Site Development Plan Review (SDR-10460) for a 54 space Parking Lot and Waivers of the Perimeter and Parking Lot Landscaping requirements at 545 Marion Drive. The Planning Commission recommended approval, but staff recommended denial of the request.
11/05/09	The Planning Commission recommended approval of companion item SDR-36124 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #45/bts).

<i>Related Building Permits/Business Licenses</i>	
05/08/98	A Building Permit (#98009795) was issued for a sign at 545 Marion Drive. The permit was finalized on 11/10/98.
06/16/99	A Building Permit (#99011908) was issued for a 2,128 square-foot addition to an existing Church/House of Worship at 545 Marion Drive. The permit was finalized on 10/08/99.
<i>Pre-Application Meeting</i>	
09/08/09	<p>A pre-application meeting was held on the indicated date. The following items were discussed at the meeting:</p> <ul style="list-style-type: none"> • A Reversionary map would be required for the two parcels on the site. • All landscaping is required to be brought into conformance with Title 19.12 requirements or Waivers would be required. • The proposed addition and potential residential adjacency issues.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
10/01/09	<p>A field check was completed on the indicated date. The following items were noted:</p> <ul style="list-style-type: none"> • Staff noted the existing Church/House of Worship. • Staff noted the vacant area for the proposed addition to the existing Church/House of Worship.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	4.17 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Church/House of Worship and Undeveloped	ML (Medium Low Density Residential)	R-E (Residence Estates)
North	Single-Family Dwellings	ML (Medium Low Density Residential)	R-CL (Residential Compact-Lot)
South	Single-Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single-Family Dwellings	ML (Medium Low Density Residential)	R-CL (Residential Compact-Lot)
West	Single-Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Church/House of Worship	56,816 SF (includes 250 existing seats and 600 proposed seats)	One space for each four fixed seats	208	7	208	7	Y
TOTAL			215		215		Y

ANALYSIS

The applicant is proposing to add 48,816 square feet to an existing 8,000 square-foot Church/House of Worship. The Church/House of Worship did not previously have a Special Use Permit. But the proposed addition has necessitated the need for the subject Special Use Permit and the related Site Development Plan Review (SDR-36124). The existing Church/House of Worship has been in existing since 1983. The proposed expansion is appropriate at this location; therefore, staff is recommending approval of the request.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed expansion of the existing use is compatible with the ML (Medium Low Density) land use designation and surrounding uses in the area.

2. “The subject site is physically suitable for the type and intensity of land use proposed.”

The proposed expansion of the existing Church/House of Worship will be located on the existing site, which is suitable for the type and intensity of the land use proposed.

3. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”

The proposed addition to the existing Church/House of Worship is accessed from Diamond Head Drive and Marion Drive. Diamond Head Drive is a 60-foot Local Street and Marion Drive is an 80-foot Secondary Collector as indicated on the Master Plan of Streets and Highways, which will provide adequate access to the site.

4. “Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”

Approval of this Special Use Permit will not compromise the public health, safety, or welfare as the proposed Church/House of Worship will be subject to regular inspections.

5. The use meets all of the applicable conditions per Title 19.04.

The proposed Church/House of Worship use meets all requirements as pursuant to Title 19.04.

PLANNING COMMISSION ACTION

The applicant agreed to all conditions at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED

553 by City Clerk

APPROVALS

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PROTESTS

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